

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action mailed July 29, 2004. At the time of the Office Action, Claims 1-61 were pending in the Application. Applicant amends Claims 1, 11, 21, 31, 35, 41, 45, and 61; cancels Claims 5, 15, 25, 34, and 44 without prejudice or disclaimer; and adds new Claims 62-67. Applicant's amendments, cancellations, and additions have been done to advance prosecution in this case and not to overcome prior art. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Section 102 Rejection

The Examiner rejects Claims 1-4, 6-7, 9-14, 16-17, 19-24, 26-27, 29-33, 38, 41-43, 48, and 51-60 under 35 U.S.C. §102(e), as being anticipated by U.S. Publication No. US 2002/0068565 A1 issued to Purnadi, et al. (hereinafter "*Purnadi*"). Applicant respectfully requests reconsideration of this rejection of the above mentioned claims. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. §2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); M.P.E.P. §2131 (*emphasis added*). *Purnadi* does not disclose, teach, or suggest, either expressly or inherently, each and every element of the claims.

Applicant amends Claim 1 to include the limitations of Claim 5; amends Claim 11 to include the limitations of Claim 15; amends Claim 21 to include the limitations of Claim 25; amends Claim 31 to include the limitations of Claim 34; and amends Claim 41 to include the limitations of Claim 44. *Purnadi* fails to disclose, teach, or suggest each and every element of Applicant's amended Claim 1, either expressly or inherently. For example, Claim 1 includes "determining the time elapsed since generating the wireless session inquiry; and initiating the establishment of a wireless session if a predetermined amount of time has elapsed." Because *Purnadi* fails to teach at least these limitations, Applicant respectfully submits that *Purnadi* cannot anticipate Claim 1 under 35 U.S.C. § 102(e). Thus, Applicant

respectfully requests reconsideration and allowance of independent Claim 1 and its dependents.

Independent Claims 11, 21, 31, and 41 each recite certain limitations that, for reasons substantially similar to those discussed with reference to independent Claim 1, are not disclosed, taught, or suggested, either expressly or inherently, by *Purnadi*. Therefore, Applicant respectfully requests reconsideration and allowance of independent Claims 11, 21, 31, and 41 together with their dependents.

Claim 51 includes the steps of “determining whether the registration response contains a wireless serving node identifier if the registration response does not indicate that the registration request is accepted; and generating, if the registration response does not indicate that the registration request is accepted and contains a wireless serving node identifier, a wireless registration request containing the identifier.” *Purnadi* does not disclose, teach, or suggest, expressly or inherently, at least these elements of Claim 51. Therefore, Applicant respectfully requests reconsideration and allowance of independent Claim 51 and its dependents.

Independent Claim 56 recites certain limitations that, for reasons substantially similar to those discussed with reference to independent Claim 51, are not disclosed, taught or suggested, either expressly or inherently, by *Purnadi*. Therefore, Applicant respectfully requests reconsideration and allowance of independent Claim 56 and its dependents.

Section 103 Rejection

The Examiner rejects Claims 8, 18, 28, 37, and 47 under 35 U.S.C. §103(a), as being unpatentable over *Purnadi*. This rejection is respectfully traversed for the following reasons. To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation; either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the prior reference (or references when combined) must teach or suggest all of the claim limitations. See M.P.E.P. §2142-43. The mere fact that references can be combined does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680 (Fed. Cir. 1990).

It is respectfully submitted that Claims 8, 18, 28, 37, and 47 are patentable over *Purnadi* since none of the references alone or in combination teach, suggest, or disclose each and every claim limitation. Claims 8, 18, 28, 37, and 47 are dependent claims of Claim 1, 11, 21, 31, and 41, respectively. Claims 1, 11, 21, 31, and 41 have been amended to include limitations of canceled Claims 5, 15, 25, 34, and 44, respectively. As shown above, Claims 1, 11, 21, 31, and 41 now stand allowable over *Purnadi*. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 8, 18, 28, 37, and 47.

Allowable Subject Matter

Applicant notes with appreciation the Examiner's allowance of Claims 5, 15, 25, 34-36, 39-40, 44-46, and 49-50 and the Examiner's indication that the subject matter of these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims (Office Action, p. 4). Claims 5, 15, 25, 34, and 44 have been canceled. Claims 1, 11, 21, 31, and 41 have been amended accordingly to include the limitations of canceled Claims 5, 15, 25, 34, and 44, respectively. Claims 35-36, 39-40, 45-46, and 49-50 depend on allowable Claims 31 and 41. Applicant respectfully submits that Claims 1, 11, 21, 31, 35-36, 39-40, 45-46, and 49-50 are now allowable. Applicant further appreciates the allowance of Claim 61. Claim 61 stands currently amended to correct a typographical error. Accordingly, all of the pending claims have been shown to be allowable, and Applicant requests reconsideration and allowance of Claims 1-61.

New Claims

Applicant adds new Claims 62-67, which are fully supported by the specification of the present Application as originally filed. Claim 62 recites a method comprising "receiving, at a wireless serving node, a wireless session inquiry" and "receiving a wireless registration request." *Purnadi* does not disclose, teach, or suggest such a method that includes both "receiving at a wireless serving node, a wireless session inquiry" and "receiving a wireless registration request." Claim 65 recites substantially similar limitations and is allowable for at least the same reason.

Claim 63 recites a method of "determining the time elapsed since receiving the wireless session inquiry; and generating a second wireless inquiry if a predetermined amount

of time has elapsed.” *Purnadi* does not disclose, teach, or suggest such a method. Claim 66 recites substantially similar limitations and is allowable for at least the same reason. Claim 64 adds additional elements to Claim 63 and Claim 67 adds additional elements to Claim 66. Accordingly, Applicant respectfully requests consideration and allowance of new Claims 62-67.

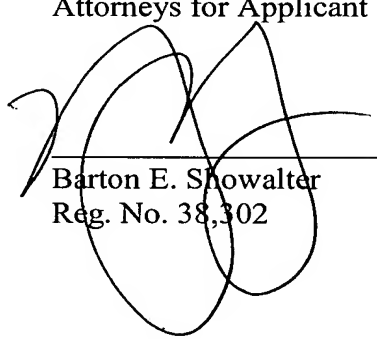
CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

Applicant submits a check in the amount of \$370.00 to cover the fee for the additional claims. Although Applicants believe that no other fees are due, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact its attorney, Barton E. Showalter, at (214) 953-6509.

Respectfully submitted,
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